

Attorney Docket No. 57761.000031
GE Docket No. 11RC-4940
Application Serial No. 09/605,010

REMARKS

The Office Action mailed October 14, 2003 has been received and its contents carefully considered. Claims 1-22 remain pending in the present application. For the reasons set forth in detail below, all claims are believed to be in allowance.

By this Amendment, the specification, claims 1 and 14, and the drawings have been amended. Support for the amendments may be found in the present application on page 6, lines 4-8; page 7, lines 11-14; claim 6; and in the drawings, for example.

A. The Drawings

In the Office Action, the drawings are objected to under 37 C.F.R. 1.83(a). The Office Action asserts that the drawings must show every feature of the invention specified in the claims, and that therefore, the "microprocessor" recited in claim 1 must be shown or the feature canceled from the claim.

Figure 2 has been amended to overcome the asserted deficiency. Specifically, Figure 2 has been amended to show a "microprocessor." Consideration and approval of the amendments to Figure 2 is respectfully requested.

B. The Rejection under 35 U.S.C. 112

In the Office Action, claims 1-13 are rejected 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Office Action asserts that regarding claim 1, it is not clear which circuit(s) is/are connected to and controlled by the microprocessor recited in claim 1.

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Claim 1 is amended to further define the interrelationships of the claimed invention and to overcome the asserted deficiency. It is respectfully submitted that the claims satisfy all formal requirements.

C. The Rejection under 35 U.S.C. §103

In the Office Action, claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's admission of prior art (AAPA) and U.S. Patent No. 6,170,007 to Venkatraman et al. (Venkatraman). The assertions set out in the rejection are respectfully traversed.

Claim 1 recites a protective relay for providing protective control to a power system, comprising a microprocessor for implementing a data flow in a communications server in the protective relay; first and second connections to a communications network and the power system, respectively; the communications server configured to receive relay configuration commands from a remote computer over the communications network in a network format, and to provide power system data and relay status data to the remote computer over the communications network in the network format.

On page 3, the Office Action asserts that regarding claims 1 and 17, AAPA teaches a protective relay for providing protective control to a power system comprising a microprocessor [application's specification, p. 1, lines 5-6]; first and second connections to a communication network and the power system, respectively [application's specification, p. 1, lines 4-7]; a communication server configured to receive relay configuration commands from a remote computer over the communications network, and to provide power system data and relay status

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data to the remote computer over the communications network [Fig. 1; application's specification, p. 5, lines 5-8].

Further, the Office Action asserts that AAPA teaches the communication server communicates with remote computer over a communications network using a product-specific software, therefore, the communications capability of the protective relay is limited. Further, the Office Action asserts that one of ordinary skill in the art would recognize that the flexibility of AAPA's device would increase if the device can support standard web browser software, and reflects that the asserted AAPA does not teach the communication server communicates with remote computer over a communication network in a network format.

The Office Action attempts to cure the deficiencies of the asserted AAPA based on the teachings of Venkatraman . The Office Action asserts that Venkatraman teaches a device with embedded web server for communicating with remote computer over a communication network in a network format (HTTP protocol); and that Venkatraman suggests that the device can be any type of devices [col. 3, lines 55-65], and concludes that therefore, one of ordinary skill in the art would have recognized that the web server could also be embedded in a protective relay. These assertions are adamantly traversed.

The Office Action further asserts that it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of AAPA and Venkatraman because it would increase the flexibility of AAPA's device by allowing the device easily communicates with any remote computer over a communications network in a standard network format.

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In traversal of the assertions set forth in the Office Action, Applicant notes that as an initial matter, the Office Action fails to set forth the manner in which the asserted AAPA is allegedly being combined with Venkatraman. That is, the Office Action merely asserts that it would have been obvious to combine, but fails to set forth the manner in which the applied art is combined. In particular, how does the Office Action propose to modify the teachings of the asserted AAPA with the features of Venkatraman.

As a further matter, the Office Action refers to page 5, lines 5-8 as AAPA (see Office Action on page 3, last line). However, such disclosure is indeed directed to the present invention, and thus certainly not AAPA.

The Office Action asserts that Venkatraman suggests that the device can be any type of devices [col. 3, lines 55-65]. However, Applicant respectfully traverses this general assertion. Venkatraman teaches that the device 10 represents a wide variety of devices including devices such as printers, fax machines, copiers, communication and telephony devices, home entertainment devices such as televisions, video and audio devices as well as appliances such as refrigerators and washing machines, security systems, automobiles, and hot tubs. Venkatraman further asserts that the device 10 also represents a variety of measurement instruments including oscilloscopes, and spectrum analyzers and other types of measurement devices; and that in addition, the device 10 represents a variety of computer peripheral devices including mass storage units such as rotating media storage units. Accordingly, Venkatraman does not set out a blanket statement that the teachings of Venkatraman may be applied to "any type of devices."

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Further, it is respectfully submitted that it would not have been obvious to combine the features of the asserted AAPA with Venkatraman, as proposed in the Office Action. The disclosure of Venkatraman in column 3, lines 55-65, sets forth a variety of devices. However, the nature of the devices disclosed by Venkatraman is different than the claimed protective relay, as would be appreciated by one of ordinary skill in the art. That is, a known communication processor for electric power substations, for example, is a complex arrangement, as described in the present application on page 1, line 17 - page 2, line 4. Accordingly, Applicant submits that the fundamental nature of the claimed invention versus the "devices" of Venkatraman (for example a printer) would lead one away from the proposed combination, as asserted in the Office Action.

More importantly as to the deficiencies of the proposed combination, claim 1 recites particulars that would not have been taught, even if it were somehow obvious to combine the teachings of the asserted AAPA and Venkatraman, which it is not. Specifically, claim 1 recites a communications server configured to receive relay configuration commands from a remote computer over the communications network in a network format, and to provide power system data and relay status data to the remote computer over the communications network in the network format.

That is, claim 1 recites an interrelationship between the feature of "receive relay configuration commands from a remote computer" and "provide power system data and relay status data to the remote computer", in conjunction with the other claimed features. It is respectfully submitted that the applied combination fails to address such particular features and

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the manner in which the applied combination allegedly teaches such feature. Applicant submits that these features of claim 1, for example, bring out the differences between the "devices" of Venkatraman and the claimed invention.

It is respectfully submitted that independent claims 14 and 17 recite patentable subject matter for reasons similar to those set forth above with regard to claim 1. Further, the dependent claims recite patentable subject matter for their dependencies on the independent claims, as well as the additional features such dependent claims recite.

For example, the Office Action asserts that regarding claims 14-16, since they recite method of operating of the apparatus defined in the apparatus claims, they are rejected accordingly based on the rejection of the apparatus claims. However, claim 16 recites the method of claim 14, wherein the steps of generating are performed by consulting a database in the protective relay, the database storing protective relay data. It is noted that such feature is not set forth in the apparatus claims; and Applicant further submits that it is fully unclear how such feature is taught by the applied art.

It is respectfully submitted that the claims define patentable subject matter. Withdrawal of the rejection under 35 U.S.C. §103 is respectfully requested.

D. Conclusion

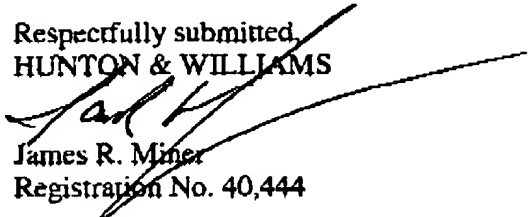
For at least the reasons outlined above, Applicant respectfully asserts that the application is in condition for allowance. Favorable reconsideration and allowance of the claims are respectfully solicited.

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Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

For any fees due in connection with filing this Response the Commissioner is hereby authorized to charge the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,
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Attachment: Drawing sheet (Figures 1 and 2)